

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JEHU WALTER YOUNG,)	
)	Civil Action
Plaintiff)	No. 11-cv-05301
vs.)	
)	
PA STATE TROOPER THOMAS W.)	
KOLBEY and)	
PA STATE TROOPER PETER MIKO,)	
)	
Defendants)	

O R D E R

NOW, this 29th day of March 2013, upon consideration of the following documents:

- (1) Plaintiff's Motion to Amend Plaintiff's Complaint to Include a Jury Trial Demand, which motion was filed on April 4, 2012;
- (2) Plaintiff's Brief Supporting Plaintiff's Motion to Amend Complaint to Include Jury Trial Demand, which brief was filed on April 5, 2012;
- (3) Trooper Thomas W. Koebley and Trooper Peter Minko's Response in Opposition to Plaintiff's Motion to Amend the Complaint to Include a Jury Demand, which response was filed on April 18, 2012; and
- (4) Complaint, which was filed by Jehu Walter Young *pro se* on August 30, 2011;

and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that Plaintiff's Motion to Amend Plaintiff's Complaint to Include a Jury Trial Demand is granted.¹

¹ Plaintiff does not actually assert any intention to amend his Complaint substantively and only wishes to add a jury demand to the existing

IT IS FURTHER ORDERED that plaintiff shall have until April 12, 2013 to file a written jury demand.

IT IS FURTHER ORDERED that, in the event that plaintiff files a jury demand by April 12, 2013 in accordance with this Order, a jury trial of the within case shall commence on Monday, April 22, 2013 instead of a non-jury trial as previously scheduled by the Non-Jury Trial Attachment Order filed March 20, 2012.²

BY THE COURT:

/s/ JAMES KNOLL GARDNER
James Knoll Gardner
United States District Judge

(Continuation of footnote 1:)

Complaint. Accordingly, I treat plaintiff's within motion as a motion to file an untimely jury demand pursuant to Federal Rule of Civil Procedure 39(b). Furthermore, because plaintiff does not seek to amend his Complaint beyond adding a jury demand, I will permit plaintiff to file a written jury demand pursuant to Rule 38(b)(1) of the Federal Rules of Civil Procedure as an alternative to filing an amended complaint.

² It is the sense of this Order that if plaintiff files a jury demand by the April 12, 2013 deadline, I will issue a Jury Trial Attachment Order to replace the previously filed Non-Jury Trial Attachment Order for that date.